

HOUSE No. 1246

The Commonwealth of Massachusetts

PRESENTED BY:

Geraldo Alicea

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act for public protection of our youth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard T. Moore	Worcester and Norfolk
John D. Keenan	7th Essex
Christine E. Canavan	10th Plymouth
Paul Kujawski	8th Worcester
James Dwyer	30th Middlesex
Elizabeth Poirier	14th Bristol
David B. Sullivan	6th Bristol
Jennifer L. Flanagan	Worcester and Middlesex
Paul McMurtry	11th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4284 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT FOR PUBLIC PROTECTION OF OUR YOUTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 268 of the General laws is hereby amended by inserting after section 21 the following section:-

2 Section 21A. Any person who is employed by a public or private school or institution of higher learning, the
3 department of youth services, the department of social services, the department of mental health, the department of
4 mental retardation or any private institution providing services to clients of such departments and who in the course
5 of such employment or contract with a pupil or client of such departments or institutions within or outside of any
6 facility thereof or a pupil or client under the direct custodial supervision and control of such person or another
7 person, a pupil or client shall be deemed incapable of consent to sexual relations with such person. For purposes of
8 this section, sexual relations shall include intentional, inappropriate contact of a sexual nature, including, but not
9 limited to conduct prohibited by section 22 or 24 of chapter 265 or section 2, 3, 35 or 53A of chapter 272.